IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41301 of 2008
ASHOK KUMAR SINGH
Versus
STATE OF BIHAR
With
Cr.Misc. No.38716 of 2008
HARPREET SINGH
Versus
STATE OF BIHAR
---

03 23.12.2008 Heard.

Since both the above applications arise from one and the same P.S., they have been heard together and are being disposed of by this common order.

Two petitioners have approached this court for grant of bail in a case instituted under Sections 419,420,467,468,469,471 and 120B of the Penal Code.

From the F.I.R. it appears that the petitioners/ owner of the trucks/ transport authority were involved in causing loss to the Government by not making payment of appropriate fees (Entry fee) with regard to the items loaded on the truck.

Learned counsel appearing on behalf of the petitioner Ashok Kumar Singh submits that at best he is the driver of the truck. It is not the case that he was involved in any manner in defrauding the authorities. So far the petitioner Harpreet Singh is concerned, admittedly he was not arrested with the truck in question. On the basis of certain statements a nearby hotel was raided wherefrom petitioner along with few others namely, Panchu Ahmad and Santosh Kumar were arrested. It appears, from the

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possession of the petitioner nothing incriminating was recovered. Both the counsels submit that in identical circumstance co-accuseds namely, Panchu Ahmad and Santosh Kumar have moved this court for grant of bail in Cr. Misc. No. 35453 of 2008 and the same has been allowed under orders dated 11.11.2008. A certified copy of the said order has been produced which is kept on record marked as Annexure-Y to this application. It appears that the petitioners are in custody for over six months by now.

Having regard to the entire conspectus of the case and also the fact that two co-accuseds have been granted privilege of bail by this court, I am also inclined to admit the petitioners to bail.

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Let the petitioners, namely, Ashok Kumar Singh (Cr. Misc. No.41301/2008) and Harpreet Singh (Cr. Misc. No. 38716/2008) be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at (Sasaram) in connection with Sheosagar P.S. Case No. 81/2008, subject to the condition that one of the bailors should be the own/close family member of the petitioner.

Sym **(Kishore K. Mandal, J.)**